

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

NAUTILUS INSURANCE  
COMPANY,

Plaintiff,

vs.

EMPLOYERS MUTUAL  
CASUALTY COMPANY;  
SENTINEL INSURANCE  
COMPANY LIMITED; THOSE  
CERTAIN UNDERWRITERS OF  
LLOYD'S OF LONDON  
SUBSCRIBING TO VARIOUS  
POLICY NUMBERS;<sup>1</sup> AND, THE  
TRAVELERS INDEMNITY  
COMPANY OF AMERICA,

Defendants.

No. CV 19-24-BU-SEH

**ORDER**

Nautilus Insurance Company ("Nautilus"), Employers Mutual Casualty Company ("EMC"), and The Travelers Indemnity Company of America ("Travelers") have filed a Joint Notice of Settlement<sup>2</sup> stating that all claims of EMC and Nautilus against Travelers are resolved "and the parties will submit a stipulation for dismissal of those claims within 30 days."<sup>3</sup>

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<sup>1</sup> Policy Numbers N04NZ00790, N05NZ16950, N06NZ16880, and N07NZ18290.

<sup>2</sup> Doc. 64.

<sup>3</sup> Doc. 64 at 2.

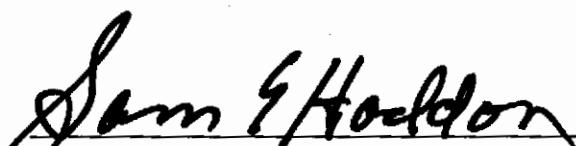
Fed. R. Civ. P. 41(a)(2) authorizes a court to dismiss an action, upon Plaintiff's request, "on terms that the court considers proper." This Court, however, requires that a request for dismissal under Rule 41(a)(2) contains a statement by Plaintiff's counsel that all parties have been contacted, and that none oppose the dismissal request.

The Joint Notice of Settlement<sup>4</sup> submitted by Nautilus, EMC, and Travelers does not state whether Defendants Sentinel Insurance Company Limited and Those Certain Underwriters of Lloyd's of London Subscribing to Various Policy Numbers object to the dismissal of claims against Travelers.

ORDERED:

Nautilus, EMC, and Travelers may resubmit the Joint Notice of Settlement<sup>5</sup> in proper form.

DATED this 9<sup>th</sup> day of July, 2020.

  
SAM E. HADDON  
United States District Judge

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<sup>4</sup> Doc. 64.

<sup>5</sup> Doc. 64.